



**SPECIAL MEETING OF THE COMMON COUNCIL  
MIDDLETOWN, CONNECTICUT  
November 1, 2010**

<b>Special Meeting</b>	A workshop for questions to directors of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building, on Monday November 1, 2010 at 6 p.m.
<b>Present</b>	Deputy Mayor Joseph E. Bibisi, Council Members Thomas J. Serra, Vincent J. Loffredo, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Robert P. Santangelo, Hope P. Kasper, James B. Streeto, Grady L. Faulkner, Jr., Deborah A. Kleckowski, David Bauer, Acting Deputy Chief of Police Gregory Sneed, and Council Clerk Marie O. Norwood.
<b>Absent</b>	Mayor Sebastian N. Giuliano and Corporation Counsel William Howard
<b>Also Present</b>	Finance Director Carl Erlacher, Personnel Director Debra Milardo, Public Works Director William Russo, Wayne Bartolotta, Central Communications Officer; William Warner, Planning, Conservation, and Development Director; Thomas Hartley, Parking Department Director; Acting City Attorney Timothy Lynch; Fire Chief Gary Ouellette, Guy Russo, Water and Sewer Director; Damon Braasch, Tax Assessor; Philip Cacciola, Consumer Protection, Stephan Allison, Arts Coordinator; John Milardo, Parks Supervisor; Ray Santostefano Park and Recreation Director; and three members of the public.
<b>Meeting Called to Order</b>	Deputy Mayor Bibisi called the meeting to order at 6:04 p.m. and leads the Council in the Pledge of Allegiance.
<b>Call of Meeting Read</b>	The Call of Meeting was read and accepted. Deputy Mayor Bibisi declares the Call a Legal Call and the Meeting a Legal Meeting.
<b>Workshop Opens</b>	<p>The Acting Chair opens Questions to directors at 6:06 p.m.</p> <p>Councilman Bauer asks for Bill Warner, Director of Planning, Conservation, and Development. He states it is not at the meeting and the amended agenda will have the acquisition of Middle Street property; he expressed at the EDC meeting to understand the deal and the more he looks at it the more questions he has. He recalls the agreement that roughly if Norpaco or whatever business, if they bought two lots and we were obligated to buy. Mr. Warner responds they bought three. Councilman Bauer states the transaction was one parcel and 6.6 acres. Mr. Warner responds if Norpaco bought the three lots, the City would buy one lot with the proceeds from Cucia Park and if Norpaco couldn't buy three, then the City would buy three. Councilman Bauer states they did buy three lots. Looking at the GIS, the stated purchase price was \$830,000 dollars. Mr. Warner states he didn't know GIS had sale prices on it. Councilman Bauer states they show \$830,000 for land and \$2.15 million for a building. Mr. Warner states that is the assessment. Damon Braasch comes forward to clarify the \$830,000 is the City's appraised value of the land and the sale price was \$950,950 for 6.4 acres. Councilman Bauer states that is \$143,214 per acre. His final question, Norpaco did what we hoped and that left nine lots in the development; why did we choose this lot. It is probably the most oddly shaped lot and it butts up against personal property and we have to observe a buffer and we have power lines over that lot. If we had any choice, why did we choose that. Mr. Warner states the power lines abut it and not over. He states we could only buy lots along an approved road and they wanted three lots for Norpaco and 3, 4, and 5 were left and if Norpaco bought the land, we were to buy lot 5. Councilman Bauer states the others are less oddly shaped. Mr. Warner states it was negotiated. We tried to get an agreement to prevent the Army from buying the property and that was what was offered to us 3, 4, and 5 and if the City had to buy only one, we bought 5.</p>
<b>Noted for the Record</b>	<p>Council Members Serra and Daley take their seats at 6:12 p.m.</p> <p>Councilman Bauer states we told them what we would spend. Mr. Warner states everyone knew what we were doing and people have expressed interest in the property. It got the Army to Cucia Park and it was an industrial area. Councilman Bauer states I go back and watch the Council show and he is not sure he knew that we were going to be told which lot to buy. He asks and he states there is a covenant for the power lines and it says there is an easement on the property for power lines. Mr. Warner states he has been out there and he looked up. Councilman Bauer asks one thing surprised him; he sees that there was a Middletown lawyer, Mr. Dowley and it was signed by the City, Mr. Dowley and Teddy Bysiewicz and with them buying the land and Mr. Bysiewicz on Westfield Fire Commission and Mr. Dowley is the real estate attorney. Mr. Warner states it is not his ethical question. Mr. Dowley is the lawyer for Westfield Fire. He did not know about Westfield Fire buying this piece until January 10, long after the lots were done. It was not a deal that was put together. Councilman Bauer states if you say they were approached and knew about it in January and the actual transaction did not take place until July. Bill responds the lots</p>

were under contract since March, 2009. Councilman Bauer states he thinks it is odd we didn't take a lot at the end of the cul de sac. The others would have had more potential.

Chair Bibisi states asks him to ask the question. Councilman Bauer asks if this deal is the best for the taxpayers. Mr. Warner responds that the deal worked how we wanted it for the City. We sold Cucia Park and got Norpaco in the City and we have a lot to sell. Mr. Warner states he did prepare a time line and it has been in his office since Friday.

Councilman Klattenberg asks Mr. Warner when Cucia was sold and the \$1.9 million would be placed in the general fund and the funds raised and the City's purchase some would be compensated to the Conservation Commission. Mr. Warner states you agreed to sell Cucia Park and agreed to put some sum into open space, but you did agree to the purchase of the lot. Councilman Klattenberg states he recalls the sale of Cucia Park directed the \$1.9 million towards the general fund and members of the Council recognized that there was one less park for the City and to the degree we could we would compensate the City for its inventory of parks. Mr. Warner states yes; that resolution was when we were offering Cucia Park and the Army was still choosing and now we did this deal and used some of the proceeds, but when we sell the lot the funds could be used for open space. Councilman Klattenberg states this sale of this small parcel technically could be construed in assisting the compensation. Mr. Warner responds the Council could do that.

Councilwoman Kasper asks in regard to the 0 acre we are conveying to Westfield; how was the \$60,000 value determined. Mr. Warner states it started with \$143,000 per acre and Westfield approached the Mayor and Council and leadership and asked to pay \$60,000 and asked the City to donate the other \$60,000. There is a 34 foot steep incline to the lot and even with the way they are building the fire station they are cutting into the sloop and I don't think we would have it appraised for \$120,000. Councilwoman Kasper states the remaining piece, how will this affect the salability. Mr. Warner responds there is over 2 acres left and a minimum lot is 2 acres and lot 5 proposed is 99,000 sq. ft. Councilwoman Kasper states we will still have a saleable lot. Mr. Warner responds yes and what is left is flat.

Councilwoman Kasper states she has a question for another director and asks to direct questions to the City Attorney. Acting City Attorney Timothy Lynch comes forward.

#### **Noted for the Record**

Councilman Faulkner takes his seat at 6:23 p.m.

Councilwoman Kasper states the bond says 20 years, don't we normally use ten years. Atty. Lynch responds the Finance Director could better respond. Carl Erlacher, Director of Finance comes forward and states the language states not to exceed 20 years so we are not locked into ten years because we won't go out until March or April. Councilwoman Kasper asks if we do it for ten years. Mr. Erlacher responds he will check with him and it can't exceed 20 years and allows us still to bond ten years and not to exceed 20.

Councilman Bauer asks to address questions to the Parking Director. Tom Hartley comes forward. Councilman Bauer states you are aware of a referendum limit of \$750,000 and the request is for \$740,000, were you aware of it. Mr. Hartley responds not initially, no; my request came to \$726,000 and he went to Public Works and they took lighting, signage and emergency and call boxes. In the initial proposal formulated for place holder, we took costs based on the Melilli lot and allocated costs on a per space basis. We modeled it based on the various lots and the rest was required for the bonding fee. That is why it came to that number. Councilman Bauer asks if we didn't have the \$750,000 limit, would you find more that needs to be upgraded. Mr. Hartley responds it is a good request to get the rest of the off street parking up to industry standards. Councilman Bauer states thank you for the detail and he asks if there are any major lots not included. Mr. Hartley responds no; all of them were included. Councilman Bauer asks what is your anticipated; when will we see a return on the investment. It will make it harder for the department to be revenue neutral. How long will it take for a return on the \$740,000. Mr. Hartley believes every dime for repayment needs to come from the department and parking revenue. Councilman Bauer asks what the general return on investment is. Mr. Hartley states five years is a comfortable payback period and ten gives you time to look at the incremental parking spaces and talking from the assets and the pro forma from the Parking Advisory Committee, the return from the rate structure will pay it back in five year period. Councilman Bauer asks the psychologically speaking, the rates, do you think the people who use the spaces and giving you the revenue will they go along with the mind set or will there be a slump in revenues. Mr. Hartley responds it is important to educate and inform your constituents what this means to them. The more they think as owners of these assets, we will be better off and a paradigm shift and addressing your point, there are two ways to allocate costs: the end user or the taxpayer. It is important for the end user to see the immediate impacts of the price increase by having proper lighting, security cameras and to raise their comfort level to use the off street parking and remove some from Main Street. Folks will need to see the improvements right away. Councilman Bauer states his microphone is stuck and he is having trouble turning it on and off.

Councilman Serra is recognized and states not this one. Councilman Daley and Councilman Pessina states they have questions for this director. Councilman Daley states at several meetings he raised the concern about the \$6,500 appropriation request for the service life assessment and at the Finance meeting, he asked for a copy of the report and he has not received it and he wanted assurance we are not paying for something we already did. He states he found it is a two part study and we may have paid for it. Mr. Hartley states after Finance he found it was a two part study and he went to Purcell and did get a copy and a copy is forthcoming. Mr. Hartley states one copy he made he sent to Public Works because the description of what was written that perhaps we could take the information from the second study and extrapolate the information he needs and after discussing this with Bob Dobmeier, Deputy Director of Public Works, they need the study. Councilman Daley states he wants the study and will not support the appropriation. My understanding at the time was, this was precisely what we asked for and now we are being asked to pay \$6,500 again and they sound similar. Mr. Hartley responds they are not mutually exclusive. Councilman Daley states he thinks before we appropriate funds we need to have the 2008 study, the structural assessment report because depending on what it says, we may not think to pour good money after bad because it may be irreparable. Mr. Hartley states it was to maintain it until a new one is built. Councilman Daley states this is not the first time I asked for this and you were misled because you thought Part 1 was the study. Mr. Hartley responds yes, he did think that. Councilman Daley states we should look at the second part and see what it says. Mr. Hartley responds he did get a copy and is making copies and he did review it and the Public Works Deputy Director and his recommendation for the service life assessment still stands. Councilman Daley asks based on what. Acting Chair Bibisi asks if the report gives the assessment we need. Mr. Hartley responds no it does not; I need to know how to maintain it until you close it to the public. There are expansion joints that need to be repaired or replaced and it is not in the report and nor does the Public Works engineer have the knowledge to do that or come to you for the appropriation request to fix that facility. Councilman Daley states we paid \$13,000 for a study and we don't know what it says. Mr. Hartley responds I do understand and the things that needed attention here were done by Public Works. Councilman Daley states that was Phase I and we don't have Phase II. Mr. Hartley states he just got it and is making copies. Councilman Daley states I don't know how critical one month will make. I want to know how they are different. Mr. Hartley states he can tell you that. It discusses the expansion joints, but it doesn't tell me how to maintain the asset for five years and if he doesn't have it, his recommendation to the Council would change. Even if the recommendation that the Council puts a garage there, then you maintain it until you take it down and know what it is you have to do. Councilman Daley states there is nothing in that report that addresses the maintenance report. Mr. Hartley responds I need information to put together the budget to maintain it, and it is not addressed in the report. It doesn't tell me what the cost will be. The report states the safety issues and what you have to do to address them, but not how to mitigate to repair the facility. Councilman Daley states this has been going on for years; we pay for studies and they gather dust on the shelf. It is ludicrous to me that we spend money and we don't safeguard what we get for it.

Councilman Pessina asks when the reports come in and might be better off responded to by Bill Russo, Director of Public Works, where do the reports go when they come in; as an engineer based study, it would be in the engineers hands. Mr. Hartley states it should be me. Part of the issue came up and I did not realize there were two reports done; it was not indicated to me that it was done. It was my fault. Councilman Pessina asks about the parking lot behind KidCity the \$159,000 pavement and aesthetics, can you give me a thumb nail summary. Mr. Hartley states it needs resurfacing and it will look more like Melilli; lighting needs to be improved and the fixtures are obsolete, cameras, emergency call boxes. Councilman Pessina asks for a copy of the report.

Councilman Faulkner asks if this means in terms of the Arcade being fixed, there are no plans for that right now. Mr. Hartley states the ones the report showed, we have done those repairs. We spent between \$50,000 and \$60,000 on the Arcade doing what is considered immediate needs and we have not touched expansion joints to down below and the water leaks down below and you have lost spaces down below and those issues need to be addressed and funding to address them. Councilman Faulkner asks if there is an overall plan. Mr. Hartley responds he does not know and that is why he would like the Purcell study done. It doesn't address the aesthetics, call boxes, etc. He states the Council had seen the rate recommendations for rate increases and it was put on hold until December and we had a meeting with Chamber of Commerce and have gone back to the Parking Advisory Committee, Finance and Economic Development to review it and it did not go through the Public Works Commission and unfortunately did not get through a second Ordinance Study review and the changes requested on the parking permits, the recommendation was to go from \$55 to \$65 to \$75 and the leased spaces are on hold until further study and they were made in the ordinance. I am not sure where it goes at this point. Acting Chair Bibisi states it went through the committees. Mr. Hartley hands it out to the Council.

Councilman Serra asks for the City Attorney; he believes there is a miss statement on the appropriation request for a feasibility request for the senior center. The Economic

Development Committee and Finance voted to utilize the funds for a feasibility study and it is stated here to purchase the St. Sebastian school and I believe it is a miss statement and it should be changed appropriately so we don't mislead the public on how do we do this. I will not support this as it stands. Atty. Lynch states the appropriation as it stands and if it is not clear enough, it does not trap you into the purchase price and it does allow you to do due diligence. It takes money from one location Sbona Towers to St. Sebastian and that is all stuff a purchaser would do and you can adjust the language. Councilman Serra states you can amend the summary. Acting City Attorney Lynch responds yes, because it has been appropriately advertised. I think it is fine the way it is, but if you want to make it clear, you can do that as well.

Councilman Loffredo states he was going to suggest it as well because his concern is the same and he was going to amend for a feasibility study for the potential purchase, the rest, after this money for a feasibility study, for the potential purchase of St. Sebastian School. I am suggesting that as a way to alleviate the concern. The language predetermines that we are agreeing to the purchase of the property and we are not there yet. Atty. Lynch states that is appropriate.

Councilman Streeto is recognized by the Acting Chair and states he has no questions for Mr. Lynch. Councilwoman Kasper states she has questions; in the same regard, those two committees wanted a feasibility study and a lower amount of money and we can also amend that to the \$10,000 or does that need to be readvertised. Councilman Loffredo states we had a ruling that we could go lower and not higher; Bond Counsel states we can reduce it but not increase it.

Councilman Streeto asks questions for Mr. Oliver. Bill Oliver, Director of IT comes forward. Councilman Streeto asks Councilman Daley mentioned about studies gathering dust, can we look at the feasibility of putting them on the website. Mr. Oliver states that is easy to do. Councilman Streeto states for going forward, it might be a good resource in five years.

Councilwoman Kasper asks to address questions to Wayne Bartolotta, Communications Director. He comes forward. She states the deputy director had some responsibilities that are being changed and one was about assurance of calls and she reads the new job description and her concern is that the City should have a standard and you explained that Lynn talked to this one entity. Could we add (and any or all standards.) Mr. Bartolotta states the City is required to maintain an emergency medical dispatch service and standards are set. We cleaned up some of the redundant language and we are essentially saying we don't need to say police, fire, medical; we need to say calls. Councilwoman Kasper states she would like to leave in the national academy or any other. Mr. Bartolotta states you are locking us in. Councilwoman Kasper reads further from the job description and it takes out the emergency, fire, and police dispatch and she can agree if we can add the certifications in the first paragraph because she doesn't see them in the job description. Mr. Bartolotta states the emergency fire and emergency police are not used here. It is not necessary and if you want it, you can add it in.

### Meeting Adjourned

The Acting Chair, seeing no further questions for directors, asks for a motion to adjourn. Councilman Streeto moves to adjourn and his motion is seconded by Councilman Pessina. The vote is called and it is unanimous with twelve aye votes. The Chair declares the meeting adjourned at 6:59 p.m.

ATTEST:

MARIE O. NORWOOD  
Common Council Clerk